

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,

v.

CIVIL NO. 19-1930 (PAD)

**FUNDS IN THE AMOUNT OF
\$53,082,824.19.00 IN U.S.
CURRENCY, CONTAINED IN THE
FOLLOWING ACCOUNTS UNDER
THE NAME OF BANCO SAN JUAN
INTERNATIONAL:**

- a. xxx-x7689 – MERRILL LYNCH
ADDRESS: #15 SECOND ST.,
SUITE 210, GUAYNABO, PR
00968, UP TO \$10,000,000.00;**
- b. xxx-x7059 – MERRILL LYNCH
ADDRESS: 225 LIBERTY ST.,
41ST FL, NEW YORK, NY 10281,
UP TO \$5,000,000.00; AND**
- c. FEDERAL RESERVE BANK OF
NEW YORK ACCOUNT #
xxxx-x228-6, UP TO
\$38,082,824.19,**

Defendant.

**CONSENT MOTION FOR VOLUNTARY DISMISSAL
WITH PREJUDICE OF CIVIL FORFEITURE PROCEEDINGS**

TO THE HONORABLE COURT:

The United States of America respectfully moves the Honorable Court, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, for an order of voluntary dismissal in the instant case. The United States further requests that said order be without the imposition of costs, expenses, or attorney's fees on any party.

Dismissal is warranted because the parties have reached agreement with respect to every issue in the above-captioned forfeiture proceeding. The parties agree that the United States will return the defendant currency to Claimant Banco San Juan Internacional, Inc. (BSJI). Specifically, within ten business days of the date the Court grants the dismissal of this action, all funds seized belonging to BSJI, in the aggregate amount of \$53,082,824.19, which includes the funds seized from Merrill Lynch and the Federal Reserve Bank of New York shall be released and returned to BSJI.

On February 4, 2020, Counsel for the United States and BSJI conferred and mutually agreed on the terms detailed above, and further agreed that the dismissal of all claims contained in the above-captioned Complaint be dismissed with prejudice.

WHEREFORE, the United States respectfully prays to the Honorable Court that the present case be dismissed, with prejudice, without the imposition of costs, expenses, or attorney's fees imposed on any party.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 5th day of February 2020.

W. STEPHEN MULDROW
United States Attorney

s/David O. Martorani-Dale

David O. Martorani-Dale
Assistant U.S. Attorney
U.S.D.C.-PR 226004
350 Carlos Chardón Street
Torre Chardón
Hato Rey, Puerto Rico 00918
Tel. (787) 766-5656
Fax. (787) 771 4050
Email: david.o.martorani@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 5th day of February 2020.

s/David O. Martorani-Dale

David O. Martorani-Dale
Assistant U.S. Attorney
U.S.D.C.-PR 226004